

**REMARKS**

In accordance with the foregoing, no claims are amended herein and claim 2 was previously canceled. It appears that the Examiner has mistakenly overlooked the Preliminary Amendment filed August 3, 2006 and thus has examined the wrong claims. Applicants respectfully request consideration of claims 1 and 3-22, which remain pending in the present Application.

Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and issue a new Action on the merits. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542005800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 3, 2010

Respectfully submitted,

Electronic signature: /Michael Stanley/  
Michael Stanley

Registration No.: 58,523  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858) 314-7795